

PATENT APPLICATION NO. 09/450,308

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stuart C. Maudlin

Serial No.:

09/450,308

Filing Date:

November 29, 1999

Art Unit:

2768

Title:

MAUDLIN-VICKERY AUCTION METHOD AND

SYSTEM MAXIMIZING SELLER REVENUE AND

**PROFIT** 

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on the date indicated below.

Signature

Printed

Date

HECEIVED

JUL 0 7 2000

**GROUP 2700** 

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to the provisions of 37 CFR §§ 1.56, 1.97 and 1.98, and MPEP 609, Applicant submits herewith copies of the patents and other documents listed below and on the attached Form PTO-1449 "Information Disclosure Citation."

#### **PATENTS**

<u>Applicant</u>	<b>Date of Publication</b>
Wagner	February 20, 1990
Walker et al.	August 11, 1998
Fisher et al.	November 10, 1998
Woolston	December 1, 1998
Harrington	April 20, 1999
Ausubel	May 18, 1999
	Wagner Walker et al. Fisher et al. Woolston Harrington

ATTORNEY DOCKET NO. 21632-P001US

PATENT APPLICATION NO. 09/450,308

<b>U.S. Patent Document</b>
5,924,082

Applicant
Silverman et al.

**Date of Publication**July 13, 1999

#### **FOREIGN PATENTS**

Foreign Patent Document No.

**Inventor** 

**Publication Date** 

**NONE** 

# **OTHER DOCUMENTS**

		Publication	
Author	Title	Date	Pages
	www.openipo.com		1
	www.openipo.com/offerings/auctions/ openipo/index.html		2
	www.cyberinvest.com/glossary/dutchauction .html		1

## **REMARKS**

Consideration by the Examiner of each of the documents listed herein and on Form PTO-1449 is respectfully requested. Applicant respectfully requests that a copy of PTO-1449, as considered and initialed by the Examiner, be returned to the undersigned with the next Official Communication.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made. 37 CFR § 1.97(g). Furthermore, the filing of this Information

ATTORNEY DOCKET NO. 21632-P001US

**PATENT APPLICATION NO. 09/450,308** 

Disclosure Statement shall not be construed to be an admission that the information cited in this

Statement is, or is considered to be, prior art, analogous art, or material to patentability of this

application, but the information has been cited to make it clear beyond all doubt that Applicant's duty

of disclosure has been complied with. 37 CFR § 1.97(h).

Applicant hereby submits that the claims of Applicant's above-referenced patent application

are patentably distinguishable from these references.

This Information Disclosure Statement is being filed before the mailing date of the first

Office Action.

It is believed that no fees are due; however, the Commissioner of Patents and Trademarks

is hereby authorized to charge any fees relating to this Information Disclosure Statement under 37

CFR § 1.17 to Deposit Account No 23-2426 of WINSTEAD SECHREST & MINICK P.C.

Respectfully submitted,

Date: 6/30/00

Robert C. Shaddox, Registration No. 34,011

WINSTEAD SECHREST & MINICK P.C.

910 Travis, Suite 2400

Houston, Texas 77002-5895

Telephone: 713/650-2764

Facsimile: 713/650-2400

ATTORNEYS FOR APPLICANT

::ODMA\PCDOCS\HOUSTON\_1\428653\1 640:21632-P001US

3

lus sign (+) inside this

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control

Stitute for form 1449A/PTO		/PTO	Complete if Known		
~;				Application Number	09/450,308
INFORMATION DISCLOSURE		DISCLOSURE	Filing Date	November 29, 1999	
STA	TEME	NT B	Y APPLICANT	First Named Inventor	Stuart C. Maudlin
(use as many sheets as necessary)		ote ae nococcaru)	Group Art Unit	2768	
(u	ise as illa	riy Silet	ets as riecessary)	Examiner Name	unknown
Sheet	1 .	of	2	Attorney Docket Number	21632-P001US

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document  Kind Code <sup>2</sup> Number  (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
JS		4,903,201	Wagner	02-20-1990		
THT		5,794,207	Walker et al.	08-11-1998		
FP		5,835,896	Fisher et al.	11-10-1998		
RAW _		5,845,265	Woolston	12-01-1998		
ARM		5,895,454	Harrington	04-20-1999 ·		
SRT		5,905,975	Ausubel	05-18-1999		
ERC		5,924,082	Silverman et al.	07-13-1999	HEUEIVED	
		32			JUL 0 7 2000	
		,			GROUP 2700	
				·		
	<u> </u>					
	· .					

	FOREIGN PATENT DOCUMENTS					
	0:4-	Foreign Patent Document	No. (D.)	Date of Publication of	Pages, Columns, Lines,	
Examiner Initials*	Cite No. <sup>1</sup>	Kind Code <sup>5</sup> Number⁴ Office <sup>3</sup> (If known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
			NONE			<u> </u>
			NONE			├
						-
						$\vdash$

Examiner	 Date	
Signature	 Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. 9 Applicant is to place a check mark here if English language Translation is attached.

Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				Complet if Known		
				Application Number	09/450,308	
IN	FORM/	ATION D	ISCLOSURE	Filing Date	November 29, 1999	
STATEMENT BY APPLICANT		First Named Inventor	Stuart C. Maudlin			
<b>.</b>	/ \		AI I LIOAITI	Group Art Unit	2768	
	(use as	s many sheets a	ns necessary)	Examiner Name	unknown	
Sheet	2	of	2	Attorney Docket Number	21632-P001US	

	NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ2			
		www.openipo.com				
		www.openipo.com/offerings/auctions/openipo/index.html				
		www.cyberinvest.com/glossary/dutchauction.html				

Examiner	Date
Signature	Considered

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.